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Impact of the implementation of response measures
Forum and work programme

Subsidiary Body for Implementation
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Item 15(a) of the provisional agenda
Impact of the implementation of response measures
Forum and work programme

Report on the in-forum workshop on area (b) of the work programme on the impact of the implementation of response measures

Note by the Chairs of the subsidiary bodies

Summary

The in-forum workshop on area (b) of the work programme on the impact of the implementation of response measures, "Cooperation on response strategies", was held on 12 November 2013 in Warsaw, Poland. Parties and relevant organizations exchanged information, experiences, best practices and views in relation to the impact of the implementation of response measures. Such information, experiences and views can serve as inputs to related discussions of and consideration by the subsidiary bodies, in particular when conducting the review of the work of the forum on the impact of the implementation of response measures at their fortieth sessions, with a view to providing recommendations to the Conference of the Parties at its twentieth session.

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I. Introduction

A. Mandate

1. The Conference of the Parties (COP), by decision 8/CP.17, adopted a work programme on the impact of the implementation of response measures (hereinafter referred to as the work programme) and modalities for its operationalization, under the Subsidiary Body for Scientific and Technological Advice (SBSTA) and the Subsidiary Body for Implementation (SBI), with the objective of improving the understanding of the impact of the implementation of response measures in eight areas.[1]

2. The COP, by the same decision, established a forum on the impact of the implementation of response measures (hereinafter referred to as the forum), to be convened by the Chairs of the subsidiary bodies, to implement the work programme.[2]

3. In order to support the implementation of the work programme, as requested at SBSTA 36 and SBI 36,[3] the secretariat organized an in-forum workshop on area (b) of the work programme, "Cooperation on response strategies".

B. Possible action by the subsidiary bodies

4. The subsidiary bodies may wish to, at their fortieth sessions, take note of the information contained in this report when conducting the review of the work of the forum, including the need for its continuation, with a view to providing recommendations to COP 20.

II. Proceedings

5. The in-forum workshop referred to in paragraph 3 above was held in Warsaw, Poland, on 12 November 2013, and was co-chaired by Mr. Richard Muyungi, the Chair of the SBSTA, and Mr. Tomasz Chruszczow, the Chair of the SBI. It was attended by 74 participants, including representatives of Parties, international organizations and research institutions, and experts.

6. The workshop was divided into three parts, namely:

(a) Overview presentation by an expert;

(b) Information, experiences, best practices and views presented by Parties;

(c) Information, experiences, best practices and views presented by organizations;

(d) Concluding remarks from workshop participants.

7. The workshop agenda and the presentations made are available on the UNFCCC website.[4]

[1] Decision 8/CP.17, paragraph 1.
[2] Decision 8/CP.17, paragraph 3.
[3] FCCC/SBSTA/2012/2, paragraph 44, and FCCC/SBI/2012/15, paragraph 166.
[4] <http://unfccc.int/7799>.

A. Overview of the work of the forum

8. An overview presentation was made by a consultant, Mr. Aaron Cosbey, who summarized the work of the forum in the past two years under the areas[5] of the work programme. He reminded the participants of the mandate of the forum,[6] and said the objective of the work programme is to improve the understanding of the impact of the implementation of response measures.

9. He noted that area (a) of the work programme, "Sharing of information and expertise expertise, including reporting and promoting understanding of positive and negative impacts of response measures", is central to the mandate of the forum. The participants highlighted three main types of information that can be shared:

(a) On impacts (positive and negative) of response measures to date;

(b) On alternative measures with lower impacts;

(c) On adaptive initiatives to lower vulnerability to impacts (including economic diversification).

10. He felt that to improve the sharing of this information, there is a need to enhance the reporting requirements for both developed and developing country Parties, and to discuss policies at their design stage.

11. On area (b), "Cooperation on response strategies", he suggested the following scope of discussion:

(a) The value of a structured process for cooperation;

(b) Preference for multilateral cooperation and consultations in the designing of policies;

(c) Cooperation on low-carbon development strategies.

12. On area (c), "Assessment and analysis of impacts", he pointed out the overlap with the scope of area (e), "Economic modelling and socioeconomic trends", and raised the following questions:

(a) Should assessment/analysis be done at the domestic level or at the multilateral/international level?

(b) Should the assessments be undertaken at different locations (e.g. ex ante in the country of implementation and ex post in the country of impact)?

(c) Should there be subsequent discussion in a forum-like setting and/or other settings?

(d) Is there a need to set priorities based on types of measures and impacts?

(e) Should a web-based platform be developed as a repository of information?

13. On area (d), "Exchanging experience and discussion of opportunities for economic diversification and transformation", he pointed out the unique problems for countries that are overdependent on vulnerable export streams, and said that economic diversification should be facilitated at an international level, while execution should take place at the national level. The following are examples of possible international level tasks:

(a) Search for best practices based on experience;

[5] As footnote 1 above.
[6] As footnote 2 above.

(b) Identify non-domestic barriers to diversification;

(c) Identify ways to boost foreign direct investment in non-traditional sectors;

(d) Facilitate technology transfer, technical assistance, and financial support.

14. He recalled that participants had recognized that economic diversification should be considered as part of a broader process of sustainable development, and that there is a need for approaches tailored to individual countries. Participants had acknowledged the need to solicit international expertise and collaboration outside the UNFCCC process.

15. On area (e), "Economic modelling and socioeconomic trends", he recalled that participants agreed that this area is fundamental to the discussions and the mandate of the forum. Economic modelling exercises need both ex ante and ex post analysis and should focus on both negative and positive impacts. In regard to economic modelling, there is a need to augment capacity for analysis in developing countries and to involve experts such as those of the Intergovernmental Panel on Climate Change and the Energy Modeling Group in order to clarify the significance of the key assumptions and model types.

16. In reference to area (f),[7] he noted that participants questioned whether the implementation of some of the decisions and obligations under the Convention is still in progress and adequate. They had raised the need for a review mechanism to assess whether the scope of work under the forum was limited to its mandate. Participants had highlighted gaps in the implementation of reporting requirements.

17. On area (g), "Just transition of the workforce and the creation of decent work and quality jobs", the participants had indicated that changes are driven by both climate change and response measures for it. Measures taken at the national level should ensure a just transition in addition to international support.

18. Finally, in connection with area (h), "Building collective and individual learning towards a transition to a low greenhouse gas emitting society", the participants discussed the definition of a low greenhouse gas emitting society. They acknowledged that many countries are in the process of moving to a green economy and that the forum is a good platform for sharing experiences and best practices. Some participants also highlighted certain formal domestic learning programmes for education in this area.

19. Based on the discussion, Mr. Cosbey observed that participants were satisfied with the forum as a venue to address the needs expressed in its mandate. He gleaned the following next steps from the discussions and the submissions:

(a) Improving reporting guidelines on response measures;

(b) Assessment and analysis of the impacts of response measures;

(c) Implementing best practices in managing the impact of the implementation of response measures;

(d) A review of efforts made to implement relevant obligations under the Convention.

B. Information, experiences, best practices and views presented by Parties

20. Citing Article 3, paragraphs 1, 4 and 5, Article 4, paragraphs 1(g) and (h), 3, 5, 7 and 8, of the Convention and Article 2, paragraph 3, and Article 3, paragraph 14, of its Kyoto Protocol, a representative of the Group of 77 and China (G77 and China) stated that

[7] Relevant aspects relating to the implementation of decisions 1/CP.10, 1/CP.13 and 1/CP.16 and Article 2, paragraph 3, and Article 3, paragraph 14, of the Kyoto Protocol.

cooperation on response strategies needs to be undertaken in accordance with the principles and provisions of the Convention. She emphasized that the overriding priorities of developing country Parties are economic and social development and poverty eradication.

21. Regarding cooperation on response strategies in the context of the forum, the representative felt that it entailed:

(a) Addressing the question of how developed country Parties are cooperating to assist developing country Parties in avoiding and minimizing the economic and social consequences of response measures taken by developed country Parties;

(b) Giving full consideration to what actions are necessary under the Convention to meet the specific needs and concerns of developing country Parties arising from the impact of the implementation of response measures. This can include actions related to funding, insurance and the transfer of technology.

22. She suggested that the following actions could help to foster cooperation:

(a) Exchanging of views and sharing information and expertise, so as to inform policy choices of response measures taken by developed country Parties;

(b) Facilitation of the technical collaboration among Parties and experts on studies, modelling tools and assessment methodologies;

(c) Cooperation of modelling teams on seeking consensus on methodology development and scenario setting and on ensuring that models take into account the specific national economic and social conditions of developing countries;

(d) Establishing of partnerships among organizations to research and assess concerns and needs of developing country Parties relating to the impact of the implementation of response measures;

(e) Cooperation under the Convention to enhance the reporting of Parties included in Annex I to the Convention (Annex I Parties) on the impact of their response measures on developing country Parties, and on how they are minimizing the adverse effects on developing country Parties;

(f) Strengthening multilateral approaches to responding to climate change.

23. The representative also pointed out that developed country Parties should make an ex ante and ex post assessment of the design and implementation of their response measures. This assessment should take into consideration:

(a) The principles and provisions of the Convention;

(b) The special conditions of the potentially affected developing country Parties;

(c) Scientific evidence;

(d) Legitimate objectives;

(e) Effectiveness of measures and related trade restrictions;

(f) Fulfilment of developed country Parties' obligations related to the provision of specific support to developing countries.

24. In concluding her presentation, the representative of G77 and China strongly recommended the continuation of the forum, as it provides a platform for exchanging views. It is also a good platform for deliberating on ways to enhance cooperation on avoiding and minimizing negative economic and social consequences of response measures.

25. The presentation by a representative of Saudi Arabia emphasized the significance of cooperating under the Convention by citing Article 4, paragraph 1. She pointed out the importance of cooperation on response strategies related to social and economic consequences of response measures and on ways to minimize their adverse impacts.

26. She recalled that the forum had earlier identified the need for a cooperation process that can facilitate domestic activities, regional and subregional activities, and international work. The following roles of the Convention were deemed to be related to such a process:

(a) Serving as a reporting platform;

(b) Monitoring progress;

(c) Coordinating actions;

(d) Encouraging cooperation actions;

(e) Stocktaking;

(f) Planning for the future.

27. As potential areas of collaboration, the representative mentioned assessment and analysis of impacts, economic modelling and socioeconomic trends, just transition of the workforce and sharing of information and expertise. In addition, there is a need to know how to:

(a) Increase resilience to negative impact;

(b) Conduct ex post assessment of response measures;

(c) Communicate with other organizations and experts;

(d) Generate reliable collection of data and information.

28. She named the following further potential areas of collaboration:

(a) Informing the policymakers and decision-makers about the findings and recommendations relating to the social, economic and environmental impacts of climate change mitigation policies on developing country Parties;

(b) Strengthening the capacity to conduct assessment of adverse spillover effects of trade and market barriers and policy measures on social and economic growth in impacted developing country Parties;

(c) Synchronizing findings and lessons learned from the work on the impact of response measures done under other mechanisms with arrangements and processes under the Convention;

(d) Identifying potential opportunities for cooperation in the areas of capacity- and resilience-building;

(e) Cooperating in bilateral and multilateral dialogues on the findings of the assessment and modelling of response measures and their adverse impacts on developing country Parties.

C. Information, experiences, best practices and views presented by organizations

29. The presentation by a representative of the United Nations Development Programme (UNDP) focused on cooperation among countries within the UNDP Low Emission Capacity Building Programme. The five major work areas of the Low Emission Capacity

Building Programme are greenhouse gas inventory management systems; nationally appropriate mitigation actions; low-emission development strategies; measurement, reporting and verification; and participation of selected industries in mitigation actions. Further details on the Low Emission Capacity Building Programme were provided, including on how it is funded and on its scale, sectors and deliverables. Programme participants include developed and developing countries in Africa, Asia, Latin America and Europe.

30. The Low Emission Capacity Building Programme model for capacity-building includes:

(a) Putting in place a multi-stakeholder framework;

(b) Maximizing the use of national experts;

(c) Focusing on institutional capacity-building needs so as to support a country-driven process;

(d) Learning from diverse capacities and experiences, ranging from those of least developed countries to those of medium-income countries and large emerging economies;

(e) Encouraging consideration of gender issues so as to provide opportunities that support gender agendas in participating countries, as appropriate;

(f) Coordinating with, and building on, existing experience within UNDP.

31. A representative of the International Labour Organization (ILO) began his presentation by introducing two ILO publications, *Sustainable Development, Decent Work and Green Jobs*;[8] and *Working towards Sustainable Development: Opportunities for Decent Work and Social Inclusion in a Green Economy*,[9] as useful resources for understanding the relationship between sustainable development, environment and employment. He stated that the publications indicate that net job creation gains of 15 to 60 million are possible during the transition, representing a workforce growth of 0.5 to 2 per cent by 2030. Those gains can be realized in such sectors as REDD-plus[10] and renewable energy, with only about 1 per cent of the workforce needing to shift sectors. He provided estimations (in percentages) of the workers that relocated during the transition in different countries. Research showed that Mexico ranked high with 1.2 per cent, while Brazil had a low figure of about 0.2 per cent.

32. Regarding multinational cooperation, he used the example of the multinational enterprise 3M, whose pollution prevention policy resulted in a global reduction of greenhouse gas emissions by 72 per cent from 1990 to 2011, of emission pollutants by 1.4 billion kg since 1975, and in cost savings of USD 1.4 billion.

33. A representative of the International Trade Union Confederation explained the rationale for a just transition and how international cooperation can add value to the response measure related work on just transition. She recalled the outcomes of COP 16, and

[8] ILO. 2013. *International Labour Conference, 102nd Session, 2013, Report V. Sustainable Development, Decent Work and Green Jobs*. Available at <http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_207370.pdf>.

[9] ILO. 2012. *A Report by the Green Jobs Initiative in collaboration with the International Institute for Labour Studies. Working towards Sustainable Development: Opportunities for Decent Work and Social Inclusion in a Green Economy*. Available at <http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_181836/lang--en/index.htm>.

[10] Policy approaches and positive incentives on issues relating to reducing emissions from deforestation and forest degradation in developing countries; and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries.

in particular the discussions on the shared vision, which noted that mitigation response measures will create job opportunities in new sectors, but that challenges will be experienced in the traditional and energy-intensive industries. She felt that the international community agrees that if the transformation is well managed it can meet the needs of working people through the creation of decent and good-quality jobs.

34. The presenter suggested that the key components required to accomplish a just transition include sound investments, research and assessment of the impacts of emission reduction scenarios, social dialogue, training and skills development, social protection and economic diversification.

35. She pointed out the following potential areas of cooperation at the international level:

(a) Sharing best practices in relation to anticipated impacts;

(b) Planning and identifying successful policies;

(c) Assessing financial needs;

(d) Establishing dialogue with stakeholders to gather good practices;

(e) Issues related to the just transition under the responsibility of ILO.

36. The presentation by a representative of the International Centre for Trade and Sustainable Development (ICTSD) focused on cooperative action in the area of trade and on how trade can be used as a tool for cooperative action on climate change.

37. Regarding the choice between unilateral measures and cooperation, he referred to note 23 of the World Trade Organization (WTO) Appellate Body report on the 'shrimp-turtle case', which states that trade-restrictive environmental measures can be justified if such measures have been agreed and negotiated multilaterally. He noted that there is an emerging set of international laws that obliges States to cooperatively tackle problems for which unilateral and uncoordinated approaches are inappropriate, such as climate change. The presenter further gave an overview of cooperation duties in international trade and climate change agreements, including those stated in Article 2, paragraphs 1(b) and 6, of the Kyoto Protocol.

38. From the point of view of ICTSD, possible opportunities for cooperation include:

(a) Clarification of WTO laws through interpretations, waivers and amendments;

(b) Agreeing on a multilateral process under the Convention for coordinating policies and measures;

(c) Including chapters on climate cooperation in preferential trade agreements;

(d) Conclusion of bilateral agreements.

39. In order to overcome barriers against the dissemination of environmentally friendly technologies, the presenter informed the workshop that ICTSD had proposed the utilization of sustainable energy trade initiatives such as sustainable energy trade agreements.

40. A representative of the South Centre presented an overview of the effects of typical response measures and the rationale for cooperating on response strategies for negative effects. She emphasized that during the process of designing and implementing response measures, there is a need to enhance and accelerate the positive effects and mitigate the negative impacts.

41. She emphasized that cooperation on response strategies is important for countries that are particularly sensitive to response measures, such as the least developed countries, small island developing States and oil exporters, owing to the difficulties they are facing,

such as in productivity and technology gaps. Therefore, cooperation should focus on strengthening the capacity of developing country Parties in the areas of research and development on technology and practices, information gathering, data analysis and modelling of climate change scenarios.

D. Concluding remarks

42. Speaking on behalf of the African States, the representative of South Africa emphasized that cooperation on response strategies is critical, as it broadly addresses and connects all the areas of the agreed work programme, as well as the issue of unilateral measures. He confirmed that the African States would welcome all forms of cooperation among Parties and other players, including experts, that strive to improve the understanding of the impact of the implementation of response measures.

43. He indicated that the African States are of the view that cooperation on response strategies should include the following:

(a) Recognition by all Parties that sustainable development is the overarching priority for all developing country Parties and African countries in particular;

(b) Cooperation taking place within a multilateral framework, in accordance with, among other relevant provisions, Article 3, paragraph 1, Article 3, paragraph 4, Article 3, paragraph 5, Article 4, paragraph 8, and Article 4, paragraph 9, of the Convention, and Article 2, paragraph 3, and Article 3, paragraph 14, of its Kyoto Protocol;

(c) Discouraging unilateral measures by Parties, especially developed country Parties, since they exclude cooperation and dialogue and undermine the spirit of multilateralism.

44. He felt that there is a need to cooperate on the following:

(a) Improving assessments of the impact of response measures taken by developed country Parties in regard to employment, income, economic growth and living standards in developing country Parties;

(b) Improving assessments of response measures in terms of their comparability, their consistency with the scientific basis of the Convention and their effectiveness. Affected countries must also be consulted;

(c) Identifying and implementing actions related to funding, insurance, capacity-building and the transfer of technology, in order to meet the specific needs and concerns of developing country Parties arising from the adverse effects of climate change and/or the impacts of the implementation of response measures.

45. The representatives of Kuwait and Saudi Arabia were of the view that Annex I Parties were not providing complete information in their national communications on how they are minimizing the impact of their response measures on developing country Parties. Representatives of the European Union and the United States of America responded by indicating that the next round of national communications was in the process of being finalized and would contain information on how response measures are being considered. The representative of the United States indicated that biennial reports would also be released in early January 2014. She encouraged Parties to provide feedback on the United States biennial report, including on the information on response measures.

46. The representative of Vanuatu noted the need to cooperate on the transition to a low-carbon society, as this would benefit many countries. However, he also acknowledged that

there are challenges, including the lack of financial and technical assistance to developing country Parties.

47. The representative of Singapore reiterated their position that climate change is a matter of the global commons and requires multilateral response strategies that adhere to the multilateral spirit of the United Nations and the Convention. He said that the following six points should guide the future work of the forum:

(a) Even as multilateral approaches are being pursued, it is important that outcomes in the response measure discussions are in keeping with the provisions, principals and structure of the Convention, and rewriting the rules must be avoided;

(b) The outcomes of the UNFCCC process must respect the mandates and the long-standing competence of international organizations that focus on sectors such as trade, international aviation and shipping, which are governed by distinct multilateral rules;

(c) As provided for in Article 3, paragraph 4, of the Convention, Parties should promote sustainable economic development as they adopt effective strategies for responding to climate change;

(d) A supportive and open international economic system is a necessary condition for economic development, in accordance with Article 3, paragraph 5, of the Convention;

(e) An open international economic system would be easier to achieve if Parties removed barriers such as tariffs and standards. Efforts should be made to remove barriers to environment- and climate-friendly goods and services, which are needed for a transition to a lower carbon economy;

(f) Even as effective response strategies are being formulated, as envisaged in the preamble to the Convention and in Article 4, paragraph 10, outcomes of the UNFCCC process must recognize the constraints faced by economies which are dependent on industries that utilize fossil fuels and face the challenge of economic diversification. National circumstances of countries that face difficulties in reducing their reliance on fossil fuels because of a lack of access to renewable energy options should be recognized.

48. Representatives of the European Union, the United States and China welcomed the presentations made by the UNDP, ILO, the South Centre and ICTSD. Representatives of the European Union and the United States found that the UNDP presentation demonstrated ways in which collaboration can help countries overcome barriers. The representative of the European Union noted the possibility of building capacity through low-emission capacity-building programmes for the various areas of the work programme. The representative of the United States highlighted the work it was undertaking in partnership with 20 other countries through the Low Emission Development Strategies Global Partnership.

49. The ILO presentation was also seen as very useful in demonstrating work being done outside the UNFCCC process. The representative of the European Union felt that it was necessary to consider what other structures are advancing work related to the impact of the implementation of response measures, as they may be working in areas which are directly related to the strengthening of the ability of countries to make the transition to low-emission development. Although a representative of the European Union disagreed with certain points in the South Centre presentation, he felt that it mentioned many potential areas of cooperation.

50. The ICTSD presentation was also perceived as relevant since it showed how synergies and opportunities in the trade field can be utilized. However it was noted that the right forum for cooperation on trade matters needs to be clarified. The representative of the United States reiterated its position that WTO is the appropriate forum for discussing trade

matters related to climate change. She noted, however, that there should be close cooperation between the environmental and trade ministries, especially during climate negotiations.

51. The representative of China noted that he was glad to see that the presentation by UNDP shows that China is involved in the low-emission capacity-building programme. He also recalled the ILO research project from two years ago relating to job creation. He expressed appreciation for the initiatives of the ICTSD such as its advocacy of a sustainable energy trade agreement. He felt that for the sake of the world's future, renewable energy prices should be lowered so that renewable energy can be accessible to all.

52. The representative of Australia said he valued the presentation by UNDP on low-emission development. He also noted that the ILO presentation was informative, in particular the statistics indicating the possibility of generating 15–60 million jobs through the green economy. He felt that achieving this goal could improve the existing jobs situation. He echoed the sentiment of the representative of the European Union that collaboration can overcome some of the barriers that countries may be facing during the transition to low-emission development.

53. The representative of Algeria also emphasized the importance of cooperating on response strategies. He pointed out the need to undertake this cooperation on the basis of the principles of Article 3, paragraphs 1, 4 and 5, and Article 4, paragraphs 8 and 9, of the Convention. Furthermore, he stated that the strategies should be a result of a transparent, inclusive and Party-driven process that would guarantee an equitable and fair regime.

54. He pointed out that there was a need to recognize that sustainable development is the main priority of developing countries. He felt it was also important to:

(a) Maintain the debate on response strategies in the UNFCCC process;

(b) Avoid using unilateral measures that would affect developing country Parties' exports;

(c) Institutionalize cooperation on response strategies;

(d) Review the work of the forum;

(e) Improve the assessment of impacts;

(f) Provide adequate funding, technology transfer and capacity-building for developing country Parties;

(g) Identify concrete action to minimize the adverse impact of response measures.

55. The representative of Saudi Arabia felt that a few presentations at the workshop were outside the scope of the workshop. She wondered how the UNDP programme on low-emission capacity-building will help to address adverse economic and social consequences of response measures on a country. She strongly felt that this presentation should have been made in a different forum.

56. She reiterated that the discussions that take place in the UNFCCC process on this theme should focus on the negative impact of climate change related actions on the national priorities of developing country Parties, particularly the need to achieve sustainable development and eradicate poverty. She was of the view that the South Centre presentation met the expectations of the developing countries by including concrete proposals for cooperation. Commenting on the ILO presentation, she reminded the participants that it was not green jobs that were agreed on in Rio but decent jobs, and that there is a clear difference between the two. The principal of job creation is fundamental to the work

undertaken under the United Nations Sustainable Development Goals initiative. She also mentioned the difficulties Saudi Arabia is facing in accessing renewable energy.

57. The representative of Argentina, on behalf of G77 and China, also expressed concerns about some of the presentations, such as the UNDP one. She felt that it was outside the context of the discussion on the impact of the implementation of response measures. In regard to the presentation by ILO, she said that it lacked focus on workers who will lose their jobs and will need to re-enter the labour market. She further felt that readjustments costs, which are bound to occur, were never mentioned. She made it clear that the presentation of G77 and China mentioned trade for the sole purpose of highlighting its concern with unilateral measures for combating climate change. The presentation simply reiterated the principles and provisions of the Convention, including Article 3, paragraph 5, which emphasize that response measures should not constitute disguised restrictions on international trade.